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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/524,587	03/13/2000	Seiji Manabe	MAT-7927US	6215

7590

11/06/2003

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EXAMINER
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NGUYEN, CHANH DUY

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 11/06/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/524,587

Applicant(s)

MANABE ET AL.

Examiner

Chanh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 1-22, 25, 33, 37-42 and 44-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23, 24, 26-32, 34-36 and 43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7,9-10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Response to Preliminary Amendment***

1. The preliminary amendment filed on May 4, 2004 has been entered and considered by examiner.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

3. The references listed on the Information Disclosure Statement filed on January 31, 2001, July 29, 2002 and April 01, 2003 have been considered by examiner, see attached PTO-1449s.

### ***Specification***

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Election/Restrictions***

5. Applicant's election with traverse of the invention elected species J of Figure 18, claims 23-36 and 39-44 in Paper No. 12 is acknowledged. The traversal is on the ground(s) that Species J, K, L, M, N, O, P, Q, R and S should have been grouped

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together. This is not found persuasive because the Species of Figure 18 does not disclose an angle ranging from 75 degrees to 105 degrees as Species R of Figure 41 (claim 39) nor discloses detail wiring and holder as Species Q of Figure 40 (claims 33, 40-42 and 44) nor discloses a diffused reflection board as Species N of Figure 30-33 (claim 25). Thus, claims 25, 33, 39, 40-42 and 44 are also withdrawn from consideration.

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 23-24, 26-27, 30-32, 34-36 and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Lindblad (U.S. Patent No. 5,404,277).

As to claim 23, Lindblad discloses a surface lighting device comprising a light guide member (10) including a light-inlet (an opening beneath surface 16), a light guide section (16, 22), a light emitting section (surface 24) and a light source (12) disposed on a corner of the light guide member (10), wherein an angle (31) from by two plane (surfaces 16 and 22) of the light guide member (10), where the light-inlet exists between two planes, is an acute angle (see column 2, lines 66-68).

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As to claim 32, this claim differs from claim 23 only in that the limitation "a liquid crystal display element" is additionally recited. Lindblad clearly teaches a liquid crystal display element (25).

As to claims 36 and 43, these claim differs from claim 32 in that the limitation "portable" is additionally recited in the preamble. Lindblad clearly teaches a portable terminal which is described in the reference of Blackington as cited on column 1, lines 20-25.

As to claims 24 and 26, Lindblad clearly teaches at least one of the two plane (16, 22) approaching a emitting face a greater distance from the light source (12) as broad claim.

As to claim 27, the limitation " the light-inlet includes an end face slant with respect to the light emitting section and an incident plane" broadly reads on the surface (22) of Lindblad which is slant with respect to the light emitting section (24) and an incident plane (16).

As to claim 30, Lindband clearly teaches the light source (12) being a single piece of light emitting diode.

As to claims 31 and 35, Lindband teaches that "one or more dies (12) can be mounted on board 11 beneath surface 16" (see column 2, lines 58-59). This read on claimed a plurality of light emitting diodes.

As to claim 34, the claimed "two sides adjacent to said light source are longer than other sides respectively" so broad that it reads sides (24 and 17-18) are longer than sides (22 and 23) as taught by Lindband.

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***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindband in view of Koike et al (U.S. Patent No. 5,528,709).

As to claim 28, note the discussion of Lindband above, Lindband does not mention a curved face widening in sector shape near the light source. Koike (Figure 5B) teaches a curved face widening in sector shape near the light source (3). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used a curved face widening in sector shape near the light source (3) as taught by Koike to the light inlet of Lindblad so that it can be used when the LED is weak in directivity of radiation light (see column 8, lines 15-18 of Koike).

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As to claim 29, Koike clearly teaches a light emitting diode (3) having concave face.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ochiai (U.S. Patent No. 6,196,691 B1) is cited to teaches surface lighting device.

### **Inquiries**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanh Nguyen whose telephone number is (703) 308-6603.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Steven Saras can be reached at 305-9720.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121

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Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Cpn

C. Nguyen  
October 31, 2003

  
CHANH NGUYEN  
PRIMARY EXAMINER